

Rejection of Claims 1, 2, 6, 7, 9-11, 13, 15 and 17-19 under 35 U.S.C. § 102(b)

The Office Action rejected Claims 1, 2, 6, 7, 9-11, 13, 15 and 17-19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,341,425 to Wasilewski et al. The Office Action states that Wasilewski et al. discloses an electronic unit with a unique software key, encrypting software as a function of the unique software key, transmitting the encrypted software and uploading the software into an electronic unit with a matching software key.

Applicants have canceled Claim 1 and substituted therefor new Claim 21. Claim 21 teaches applying a unique software key to each of the one or more receiving electronic units, encrypting software code as a function of a single software key, transmitting the encrypted software code from the transmitting electronic unit over the communication link to the one or more receiving electronic units and decrypting the transmitted, encrypted software code at the one or more receiving electronic units according to the single software key used to encrypt the software code and the unique software key. Applicants submit that Wasilewski et al. fails to teach or suggest a unique software key for each receiving electronic unit. In contrast, Wasilewski et al. discloses that the transmission sites are provided with a broadcast key unique to that transmission site (col. 3, lines 7-9). As such, Wasilewski et al. fails to encrypt software code as a function of a software key unique to one or more receiving units, transmit the encrypted software code from the transmitting electronic unit over the communication link to the one or more receiving electronic units and decrypt the transmitted, encrypted software code at the one or more receiving electronic units according to the software key used to encrypt the software code and the unique software key. Therefore, amended Claim 13 and new Claim 21 are allowable over Wasilewski et al. Claims 2, 6, 7 and 9-11, which depend from Claims 13 and 21, are allowable for the same reasons that make Claims 13 and 21 allowable.

Rejection of Claims 3-5, 8, 12, 14, 16 and 20 under 35 U.S.C. § 103

The Office Action rejected Claims 3-5, 8, 12, 14, 16 and 20 under 35 U.S.C. § 103 as being unpatentable over Wasilewski et al. in view of Teare et al. Applicants submit that Teare et al. fail to resolve the deficiencies of Wasilewski et al. Therefore, Claims 3-5, 8, 12, 14, 16 and 20 are allowable as depending from Claims 13 and 21.

CONCLUSION

The claims now being in form for allowance, reconsideration and allowance is respectfully requested. If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

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Respectfully submitted,

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